

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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Committee, advanced to General File. The bill was discussed yesterday, Mr. President. Committee amendments were presented. I do have other amendments to the bill.

PRESIDENT MAURSTAD: Thank you, Mr. Clerk. Senator Peterson, would you like to give us a brief reminder on LB 150.

SENATOR C. PETERSON: Yes, Mr. Lieutenant Governor, thank you. Members of the body, I will briefly touch on just the four parts of the bill to refresh your memories. We are working off committee amendment 437, which takes the place of the original bill. The first is the issue of verification. If you remember, slamming is the unauthorized change of your telephone carrier. You have not given permission and you now suddenly have a new carrier. The FCC has set up verification procedures that do not allow telephone communications companies to make the change without one of these three being in place, and the amendment does cover these. The first is a written change authorization. The second is an electronic authorization issued from the number that will be changed, and the third party...the third is a third-party independent verification. These are consistent with the FCC rules, and they are placed into the statutes. Also, within 30 days after the subscriber changes his or her provider, the provider must let the subscriber know in a notice, and this is the notification procedure. If the authorized switch was done with the subscriber's permission and the verification is there to prove that, then, in essence, it is an authorized switch and that's where it stops. If it is an unauthorized switch, which is slamming, then we enter into the section that pertains to subscriber liability, and this, again, is based on the FCC rules and orders, which says that in order to discontinue or to stop the practice of slamming, they will take away the profit incentive. What this says is, if it's an unauthorized switch and you request to be switched back, the unauthorized carrier must refund the charges that you have paid to the authorized carrier. If they are in excess of what you would have normally paid, the authorized carrier will refund that on to you. The last part of the bill allows the Public Service Commission to have authority to provide for administrative penalty, to set up a slamming complaint system, and to enforce the act. This gives us the local control over the slamming complaints that we have here in the state, and this